
SENATE COMMITTEE ON EDUCATION

Senator Benjamin Allen, Chair

2017 - 2018 Regular

Bill No: AB 185 **Hearing Date:** June 27, 2018
Author: O'Donnell
Version: June 13, 2018
Urgency: No **Fiscal:** Yes
Consultant: Brandon Darnell

Subject: School/Law Enforcement Partnership: stakeholder workgroup.

NOTE: This bill has been amended to replace its contents and this is the first time the bill is being heard in its current form.

SUMMARY

This bill requires the School/Law Enforcement Partnership to convene a stakeholder workgroup by June 30, 2019, to identify or develop resources to be made available to high schools and middle schools on a minor's rights and responsibilities during interactions with law enforcement officials.

BACKGROUND

Existing law:

- 1) Establishes the School/Law Enforcement Partnership (the partnership), comprised of the Superintendent of Public Instruction and the Attorney General. (Education Code § 32262)
- 2) Requires the duties of the partnership to consist of all of the following:
 - a) The development of programs and policies necessary to implement the comprehensive school safety plan provisions.
 - b) The administration of safe school programs and all training, procedures, and activities conducted pursuant to Interagency School Safety Demonstration Act of 1985.
 - c) Cooperating with other states and state and federal agencies on matters relating to school safety. (EC § 32262)
- 3) Establishes the Interagency School Safety Demonstration Act of 1985, which:
 - a) Requires the partnership to sponsor at least two regional conferences for school districts, county offices of education, agencies serving youth, allied agencies, community-based organizations, and law enforcement agencies to identify exemplary programs and techniques that have been effectively used to reduce school crime, including hate crimes, vandalism, drug and alcohol abuse, gang membership and gang violence, truancy, and excessive absenteeism. (EC § 32265)

- b) Requires the partnership to establish a statewide school safety cadre for the purpose of facilitating interagency coordination and collaboration among school districts, county offices of education, agencies serving youth, allied agencies, community-based organizations, and law enforcement agencies to improve school attendance, encourage good citizenship, and to reduce school violence, school crime, including hate crimes, vandalism, drug and alcohol abuse, gang membership and gang violence, truancy rates, bullying, including acts that are committed personally or by means of an electronic act, teen relationship violence, and discrimination and harassment, including, but not limited to, sexual harassment. (EC § 32270)
- c) Requires the School/Law Enforcement Partnership (the partnership) to annually assess the programs and activities under the Interagency School Safety Demonstration Act of 1985. (EC § 32275)
- d) States that is the intent of the Legislature that all California public schools, in kindergarten, and grades 1 to 12, inclusive, operated by school districts, in cooperation with local law enforcement agencies, community leaders, parents, pupils, teachers, administrators, and other persons who may be interested in the prevention of campus crime and violence, develop a comprehensive school safety plan that addresses the safety concerns identified through a systematic planning process. (EC § 32280, et seq.)
- e) Requires the partnership to discuss with providers of telephone equipment and services, and to acquire information regarding, the availability of no-cost or reduced-cost cellular telephones and services to be provided on a statewide basis to each public school teacher for use as a classroom safety device. (EC § 32290)
- f) Requires the partnership to provide information to school districts and county offices of education about teen or peer court programs. (EC § 32295.5)

ANALYSIS

This bill requires the School/Law Enforcement Partnership to convene a stakeholder workgroup by June 30, 2019, to identify or develop resources to be made available to high schools and middle schools on a minor's rights and responsibilities during interactions with law enforcement officials. Specifically, this bill:

- 1) Requires the stakeholder workgroup to include, but not be limited to, representatives of organizations representing all of the following:
 - a) Teachers.
 - b) School administrators.
 - c) Pupils.

- d) Parents.
 - e) Law enforcement.
 - f) Civil rights advocates.
 - g) Immigrant rights advocates.
- 2) Requires the stakeholder workgroup to develop resources that may include, but need not be limited to, any of the following:
- a) Presentation templates.
 - b) Video modules.
 - c) Brochures.
 - d) Any accompanying materials the workgroup deems appropriate.
- 3) Authorizes the content of the resources developed by the stakeholder workgroup to include, but not be limited to, any of the following:
- a) What to do if you are stopped by police.
 - b) What to do if you are stopped in your car.
 - c) What to do if you are asked about your immigration status.
 - d) What to do if you are arrested.
 - e) What to do if you are taken into custody by immigration officials.
 - f) What to do if you feel your rights have been violated.
- 4) Requires the School/Law Enforcement Partnership to post the resources developed by the stakeholder workgroup on the California Department of Education and the California Department of Justice Internet Web sites by June 30, 2020.
- 5) Requires the Superintendent to notify school districts, charter schools, and county boards of education of the availability of the resources developed by the stakeholder workgroup.
- 6) Requires the Attorney General to notify local law enforcement agencies of the availability of the resources developed by the stakeholder workgroup.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “Children growing up today can expect their first interactions with law enforcement to happen very early.

Whether through officers stationed on school campuses, or through a routine traffic stop, most youths will have their first interaction with police before they graduate high school. Given that these students are forming opinions that may last the rest of their lives, these early interactions are crucial to developing positive relationships with law enforcement.

Unfortunately, many students do not know what to expect from an encounter with police or what they should or should not do. They frequently lack basic knowledge of their rights during an encounter or the goals and expectations of the officer. These can lead to negative interactions. It is critical for students to understand their right and responsibilities, in order to promote positives interactions between community members and the police.”

2) ***Responds to the current environment.*** This bill appears to be intended to ensure that interactions between police and youth begin and end as positively as possible. A 2013 American Bar Association article, “Improving Police-Youth Interactions,” notes several important statistics:

- Since 1985, there has been a 109 percent increase in the number of juvenile arrests for public disorder offenses.
- Second, police are more likely to use force with youth, particularly youth of color; although 16- to 19-year-olds represent only 7.5 percent of police contacts, they make up 30 percent of contacts involving force, with police initiating the use of force in 80 percent of those incidents. Black youth have a police contact rate of 1 in 10, but a use of force rate of 1 in 4.
- Third, youth are more likely to be held in detention facilities, with the use of detention for arrested youth increasing by 140 percent between 1995 and 2005.

As the ABA notes, “Throughout the country, police frequently find themselves caught between the dwindling social safety net and a justice system that often lacks the will, resources, and flexibility to best meet youths’ needs.” Moreover, we also know that “functional MRIs and CAT brain scans offer definitive evidence that teen brains perceive, process, and therefore respond differently than the brains of adults. In four juvenile decisions since 2005, the U.S. Supreme Court has taken judicial notice of these scientific discoveries.”

3) ***What resources might be available?*** Strategies for Youth (SFY) is a national organization that “exists solely for the purpose of improving police/youth interactions, advancing the cause of training public safety officers in the science of child and youth development and mental health, and supporting communities partnering to promote strong police/youth relationships.” SFY has developed police trainings as well as youth trainings to help foster these positive relationships. For example, Juvenile Justice Jeopardy “is aimed at teaching teens the workings of the juvenile justice system, their rights and obligations, and how to interact with officers respectfully and avoid confrontations. The game takes 90 minutes to play and is aimed at being realistic: that is, it focuses on what happens in police/youth interactions.” For police, SFY has developed

Policing the Teen Brain, a training based on cutting-edge psychiatric practice and neurological research. Through interactive discussions with adolescent-development experts and psychiatrists, and with community youth who serve as “teaching assistants,” officers learn how to assert authority using alternative techniques to increase teen compliance and de-escalate and defuse volatile situations. They learn evidence-based strategies for working with teens: how to calm them, help them focus, and encourage them to rethink their typically headstrong assertions and behaviors. Particularly critical is developing the ability to “read” youths’ mental stability. This training has implications for a variety of subgroups, most especially school resource officers; SFY has adapted the training to include *Policing the Teen Brain in Schools* and *Policing Youth Chronically Exposed to Trauma & Violence*.

SFY has conducted *Policing the Teen Brain* trainings in Salinas and San Diego, and *Juvenile Justice Jeopardy* in Los Angeles, Fresno, San Francisco, Sacramento, Richmond, and in Solano County.

SUPPORT

Association of Orange County Deputy Sheriffs
California Statewide Law Enforcement Association, California Lodge
Fraternal Order of the Police
Long Beach Police Officers Association
Sacramento County Deputy Sheriffs’ Association

OPPOSITION

None received

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